

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

YOUNG, D.J. *as modified*
So ordered as the case management
scheduling order.

Discovery due March 15, 2006
Dispositive Motions due March 17, 2006

)
ALAN DREYFUS,
Plaintiff,

v.
)

)
JAMES ROMANO, TOWN OF
BERKLEY and BOARD OF HEALTH,
Defendants.
)

William G. Young
U.S. District Judge

) DOCKET NO.: 05 10876 WGY

JOINT STATEMENT

Pursuant to Local Rule 16.1(D) and the Court's June 7, 2005 Order, the plaintiff, Alan Dreyfus and the defendants, James Romano, Town of Berkley and Board of Health, submit this Joint Statement. This Joint Statement also constitutes the parties' agenda for the conference.

1. Proposed Discovery Schedule

Pursuant to Local Rule 16.1(D)(1)(b), the parties have considered conducting phased discovery and have determined that it would not be desirable. Accordingly, the parties propose the following pretrial schedule:

- (a) The parties shall exchange initial disclosures by July 19, 2005.
- (b) All interrogatories and document requests will be served so that the responses will be due by November 30, 2005.
- (c) All experts shall be designated by February 15, 2006.
- (d) All depositions and discovery shall be completed by March 15, 2006.

The parties further propose that they may stipulate to extend any of (b), (c) or (d) above by up to forty-five (45) days without requesting Court approval, provided that such extension does not affect the schedule for dispositive motions set forth below.

2. Proposed Schedule for Dispositive Motions

The parties propose the following schedule and terms concerning dispositive motions.

- (a) Dispositive motions shall be filed by March 17, 2006.
- (b) Oppositions to dispositive motions shall be filed by April 20, 2006.
- (c) Replies to oppositions shall be filed by May 10, 2006. Replies to oppositions to dispositive motions are authorized without further leave of court, provided that such replies shall be no longer than ten (10) pages, double-spaced. *NAM*
- (d) A final pre-trial conference will be scheduled after the resolution of the dispositive motions.

3. Rule 16.1(D) Certifications

Local Rule 16.1(D)(3) Certifications will be filed at the time of the Scheduling Conference.

4. Trial by Magistrate Judge

The parties do not consent to trial by magistrate judge.

Respectfully Submitted,

ALAN DREYFUS,

By his attorneys,

Brian Corey, Jr.
Brian Corey, Jr., BBO#632973 *(S)*
1041 Main Road
Westport, MA 02790
(508) 636-8861

ALL DEFENDANTS

By their attorneys,

Jeffrey M. Sankey
Jeffrey M. Sankey, BBO#551062
PIERCE, DAVIS & PERRITANO, P.C.
10 Winthrop Square
Boston, MA 02110
(617) 350-0950